

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JONOTHAN WAYNE GRACE,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:08-CV-342
)	(VARLAN/GUYTON)
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This Social Security appeal is before the Court on the Report and Recommendation (“R&R”) filed by United States Magistrate Judge H. Bruce Guyton on September 3, 2009 [Doc. 18]. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Magistrate Judge Guyton found that the Administrative Law Judge (“ALJ”) properly reviewed and weighted the medical source opinions, the objective medical findings, plaintiff’s impairments, and plaintiff’s credibility, to determine that plaintiff could perform a range of light work, including his past relevant work. Accordingly, Magistrate Judge Guyton found that the Commissioner’s Motion for Summary Judgment [Doc. 16] should be granted and that plaintiff’s Motion for Summary Judgment [Doc. 12] should be denied.

The Court has carefully reviewed this matter, including the underlying pleadings [Docs. 12, 13, 16, 17, 18]. The Court is in agreement with Magistrate Judge Guyton’s

recommendations, which the Court adopts and incorporates into its ruling. Thus, plaintiff's Motion for Summary Judgment [Doc. 12] is **DENIED**, and the Commission's Motion for Summary Judgment [Doc. 16] is **GRANTED**. The Court **ACCEPTS IN WHOLE** the R&R [Doc. 18]. Accordingly, the Commissioner's decision in this case denying plaintiff's application for disability insurance benefits is **AFFIRMED**; and this case is **DISMISSED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE